

# ASBURY PARK SIGN ORDINANCE

## 30-61 SIGNS.

### 30-61.1 Purposes.

The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development; to improve pedestrian and vehicular traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and, to enable the fair and consistent enforcement of these sign regulations. (2000 Code § 30-61.1)

### 30-61.3 Prohibited Signs.

Signs prohibited in all zones shall specifically include, but not be limited to, the following:

- a. Any sign which does not pertain to an occupant, service, or product actually occupying or provided on the premises where such sign is located.
- b. Signs which project more than five (5) feet from the wall to which they are attached.
- c. Roof signs and signs extending above the wall to which they are attached.
- d. Signs posted on fences, posts, utility poles or trees.
- e. Signs posted on Municipal property without the consent of the Governing Body.
- f. Signs standing, installed or painted on sidewalks or curbs.
- g. Exterior moving signs of any nature.
- h. Signs on bridges, abutments, retaining walls, embankments, standpipes, water towers or similar structures unless approved by the Governing Body.
- i. Signs painted directly on buildings.
- j. Commercial outdoor advertising signs (billboards).
- k. Signs on accessory buildings.
- l. Pylon signs except as otherwise permitted in this section.
- m. Signs which flash or make noise.
- n. Signs which imitate official traffic signs or signals, or which otherwise constitute a hazard to the traveling public.

### 30-61.5 Signs Permitted in Residential Districts.

a. Signs accessory to parking areas for multifamily residences, planned development and institutional uses. Signs designating entrance or exits to or from a parking area shall be limited to one (1) sign for each such exit or entrance, with a maximum of two (2) square feet for each sign. One (1) sign per parking area designating the conditions of use or identity of such parking area and limited to a maximum size of six (6) square feet shall be permitted. Private driveway signs indicating the private nature of a driveway shall be permitted, provided that the size of any such signs shall not exceed two (2) square feet.

b. Nameplate and identification signs for single-family or two-family dwellings. A sign indicating the name and address of the occupant may be permitted provided that the sign shall be no larger than one (1) square foot.

c. Multiple-family dwelling structures may erect one (1) illuminated wall identification sign not to exceed ten (10) square feet in area; and/or one (1) illuminated freestanding ground identification sign not to exceed twenty (20) square feet in area on either side nor a height of four (4) feet; and/or one (1) illuminated directory of occupants wall mounted sign not to exceed four (4) square feet.

d. *Institutional Signs.* Signs on schools, colleges and other institutions of a similar public or semi-public nature may be erected and maintained, either illuminated or non-illuminated, provided that:

1. The size of any freestanding sign shall not exceed ten (10) square feet and not more than one (1) such sign is placed on the property, unless such property fronts upon more than one (1) street, in which instance a sign may be erected on each frontage.

2. Signs may be affixed to a maximum of two (2) walls of a structure. The total sign area on each wall shall not exceed twenty (20) square feet or two (2%) percent of the wall, whichever is less. The wall area shall be measured from ground level to the bottom of the roof eaves and from the side of the building to the other side.

3. For churches, primary and secondary schools, one (1) ecclesiastical changeable-letter ground sign may be erected referring to service and events to be held on the premises, provided the sign is not more than twenty (20) square feet in area. The sign may be illuminated, but it may not be closer than ten (10) feet to any property line.

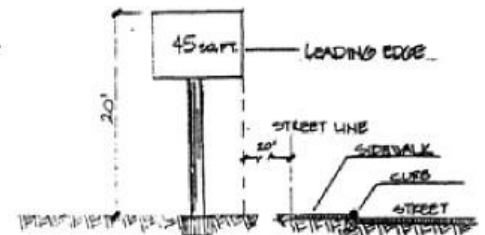
e. Signs for Professional Offices in Residences in Residential and Nonresidential Districts. Not more than one (1) non-illuminated sign not to exceed two (2) square feet in area shall be permitted. (2000 Code § 30-61.5)

### 30-61.6 Signs Permitted in Nonresidential Zoning District.

a. *Number and Size of Exterior Identification Wall Signs.* No nonresidential establishment shall be permitted a total of more than two (2) signs; provided, however, that no single exterior wall for any one (1) establishment shall contain more than one (1) of the two (2) permitted signs. The total sign area for signs permitted on the face of any wall shall not exceed ten (10%) percent of the wall area, or forty (40) square feet, whichever is less. Except as noted below, no such sign shall be freestanding or perpendicular to the street line.

b. *Rear and Side Wall Signs.* No signs shall be permitted on rear or side walls when the wall is within one hundred (100) feet of a residential use or residential zone line. Identification projecting signs may be substituted for identification wall signs, as permitted in paragraph a above, provided that no identification projecting sign shall exceed twelve (12) square feet in area on either side or project more than five (5) feet from the wall to which it is attached. The use of wall signs and projecting signs shall not be combined for the same establishment.

c. One (1) identification ground sign may be permitted for any one (1) commercial property, in addition to identification signs permitted in paragraphs a. or b. above. Such ground sign must



not exceed forty-five (45) square feet on any one side nor twenty (20) feet in height measured to the top most part of the sign. The leading edge of the sign must not be nearer than five (5) feet from the streetline.

d. Signs accessory to off-street parking facilities will be permitted in accordance with paragraph a of subsection 30-61.5.

e. Signs for multi-use or multi-structure developments such as shopping centers, industrial parks and planned developments shall be governed by the following regulations:

1. Each such development shall submit a Signing Plan to the Planning Board for approval. Such Signing Plan shall include details on:

- (a) Letter style
- (b) Lighting
- (c) Color
- (d) Construction and materials
- (e) Height of sign
- (f) Height above grade or below roofline
- (g) Locations
- (h) Standards.

2. The Signing Plan shall be based on an integrated design theme to include all of the elements (a) through (h) above. All of the above elements shall be designed to be in harmony and consistent with each other, the architecture and materials of principal structure and the landscaping plan. The Planning Board, in its sole discretion, shall determine if a proposed Signing Plan meets the goals and objectives of this section.

3. The total area of all signs affixed to a structure shall not exceed five (5%) percent of the facade of the structure, or forty (40) square feet, whichever is less. The Planning Board may permit in total sign area up to seven (7%) percent of the building facade, if, in the Planning Board's judgment, such additional area shall assist in developing a harmonious and integrated sign plan in accordance with the goals and objectives of this subsection.

4. Freestanding signs may be permitted in a multi-use development upon the sole discretion of the Planning Board as part of site plan approval. They may be on poles, kiosks, stanchions or similar supports and shall be not higher than twelve (12) feet above grade. The Planning Board may permit a total sign area of up to fifty (50) square feet, if in its judgment, such additional area shall assist in achieving the goals and objectives of this section.

Only one (1) such freestanding sign shall be permitted on any single property regardless of the number of establishments on the property except that the Planning Board may authorize an additional freestanding sign if the property has access from more than one (1) public street. The freestanding sign shall comply with all setback requirements of the zone. (2000 Code § 30-61.6)

### **30-61.7 Sign Regulations for Specific Uses.**

a. *Marquee and Canopy Signs.* In addition to those other signs generally permitted under this article, theaters may display the following signs:

1. Removable lettering on the front and/or sides of a canopy or marquee, which may be back lighted, and which shall advertise current or coming attractions only.
2. Not more than two (2) additional signs, each not more than twelve (12) square feet in size, may be attached to the front wall of the theater and which shall be used to advertise coming or current attractions only.
3. Ticket booth signs shall be governed by regulations affecting window lettering and window signs.

d. *Bed and Breakfast Establishments.*

1. One (1) freestanding sign shall be permitted which shall not exceed six (6) square feet in size. Externally illuminated lighting is permitted. The sign shall not exceed three (3) feet in height. (2000 Code § 30-61.7; Ord. No. 2735 § 4)

### **30-61.8 Window Lettering and Window Signs.**

Window lettering and window signs shall be permitted only in nonresidential zoning districts. For the purpose of enforcing this section, window lettering and window signs shall be construed as signs, and are subject to the following restrictions:

- a. All window lettering and signs shall be inside the window.
- b. Permanent window lettering and signs shall be permitted only if the space confining such lettering and signs, or the background upon which it appears, does not exceed twenty (20%) percent of the window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains letter or advertising.
- c. Window lettering or signs shall pertain only to that establishment occupying that portion of the premises where the window is located.
- d. Temporary window lettering or signs, advertising special sales or events, shall be permitted subject to the following restrictions:
  1. Such lettering or signs shall be removed within thirty (30) days after erection;
  2. Such window lettering or signs, in conjunction with permanent window lettering or sign, shall not cover, in the aggregate, more than fifty (50%) percent of the window area.
  3. Such temporary window signs do not require a sign permit.
- e. The following window lettering and signs are specifically **prohibited**:
  1. Those containing or having as part of them any source of illumination with the exception of one (1) neon sign per window on storefronts or bars in commercial zones. A neon sign placed in a storefront or bar window in accordance with this section shall be of no more than two (2) solid colors, shall not move or flash and shall not occupy more than three (3) square feet of window area.
  2. Those having an exterior source of illumination, which is intermittent or flashing in nature, or that produces glare which interferes with pedestrian or vehicular traffic.

3. Moving signs.
- f. All window lettering and signs shall be kept in good repair.
- g. The Zoning Officer shall have the authority to order the removal of any window lettering or sign which does not conform to these specifications. Any owner or tenant not complying within seventy-two (72) hours of such an order shall be subject to the penalties set forth in this chapter. (2000 Code § 30-61.8)

### **30-61.9 Permitted Exceptions.**

The following signs shall be exempt from the provisions of this section:

- a. Official signs.
- b. A sign located within a building not attached directly to or painted on a window, and not located within eighteen (18) inches of a window or entrance.
- c. No more than two (2) show cards not to exceed twenty-eight (28) by twenty-two (22) inches, advertising matters of current public interest may be displayed in show windows of occupied business establishments for a period not to exceed thirty (30) days.
- d. Political signs; however, these signs may not be erected more than forty-five (45) days prior to an election and must be removed no later than ten (10) days after an election.
- e. On vacated property, one (1) sign not to exceed six (6) square feet in area, giving the name, business and new address of the former occupant, may be displayed for not more than sixty (60) days.
- f. Signs, banners or devices for which special permission may be granted by resolution of the City Council in each instance.
- g. For the purpose of advertising matters of a public, semi-public or charitable character, temporary permits may be granted at the discretion of the City.
- h. Banners, streamers and advertising flags to advertise openings and sale days, providing that such devices shall not be displayed on any one (1) property for more than thirty (30) days in any calendar year.
- i. Flags representing a Nation, State or established organization provided same are properly hung or mounted on a flagpole or equivalent supporting structure attached to a building or upon a freestanding flagpole. (2000 Code § 30-61.9)

### **30-61.10 Permits.**

Permits shall be required for all signs.

- a. *Permits Required.* Unless otherwise permitted herein, no person shall erect, alter, locate or relocate, or reconstruct or maintain, or cause to be erected, located or relocated, or reconstructed or maintained within the limits of the City, any sign or signs without first having obtained and having in force and effect, a permit for the location of such sign or signs from the Zoning Officer.
- b. *Application Information and Contents.* Any persons desiring to procure a permit to maintain a sign in the City shall file with the Zoning Officer a written application which shall contain an accurate description of the location or proposed location where such sign is to be erected and a diagram of each sign that the applicant desires to erect, alter, locate or relocate, use or maintain. Such application shall be signed by the applicant, who shall also indicate his/her post office address and supply any and all information that the Zoning Officer may reasonably require in order to determine properly whether the proposed location of the sign complies with the provisions of this section.
- c. *Inspection of Premises; Issuance Procedure.* The Zoning Officer, upon receipt of an application, shall examine the premises upon which it is proposed to erect the sign and, if the proposed structure is in compliance with all the requirements of this chapter and all other laws and ordinances of the City, the Zoning Officer shall then issue the permit. If the work authorized under a permit has not been completed within four (4) months after the date of issuance, the permit shall become null and void. (2000 Code § 30-61.10)

### **30-61.14 Computations.**

The following principles shall control the computation of sign area and sign height.

- a. *Computation of Area of Individual Signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the display itself.
- b. *Computation of Area of Multifaced Signs.* The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart, the sign area shall be computed by the measurement of one (1) of the faces.
- c. *Computation of Height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. (2000 Code § 30-61.14)

### **30-61.15 Design, Construction, and Maintenance.**

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- a. All signs shall comply with applicable provisions of the Uniform Construction Code.
- b. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this section, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, building, or other structure by direct attachment to a rigid wall, frame, or structure.
- c. All signs shall be maintained in good structural condition, in compliance with the Uniform Construction Code, and this section, at all times. All signs must be maintained in their original condition at the time of installation. Additionally, if the sign is defaced or damaged, it shall be removed or repaired.  
(2000 Code § 30-61.15; Ord. No. 2831 § 3)